

# COURT OF COMMON PLEAS OF JEFFERSON COUNTY

## DOCKET



Docket Number: CP-33-CR-0000511-2010

## CRIMINAL DOCKET

Court Case

Commonwealth of Pennsylvania

v.

Dale Richard Neill

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### CASE INFORMATION

Judge Assigned:  
OTN: T 009690-2      LOTN:  
Initial Issuing Authority: Richard D. Beck  
Arresting Agency: PSP - Punxsutawney  
Complaint/Citation No.: C011024888  
County: Jefferson  
Case Local Number Type(s)

Date Filed: 10/18/2010      Initiation Date: 08/16/2010  
Originating Docket No: MJ-54303-CR-0000169-2010  
Final Issuing Authority: Richard D. Beck  
Arresting Officer: Powell, Randy D.  
Incident Number:  
Township: Eldred Township  
Case Local Number(s)

### STATUS INFORMATION

<u>Case Status:</u>	<u>Status Date</u>	<u>Processing Status</u>	<u>Complaint Date:</u>
Closed	02/28/2012	Completed	08/16/2010
	09/20/2011	Awaiting Violation Hearing	
	07/19/2011	Sentenced/Penalty Imposed	
	07/18/2011	Awaiting Sentencing	
	07/18/2011	Awaiting Plea Court	
	11/30/2010	Awaiting Formal Arraignment	
	10/18/2010	Awaiting Filing of Information	

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### CALENDAR EVENTS

<u>Case Calendar</u> <u>Event Type</u>	<u>Schedule</u> <u>Start Date</u>	<u>Start</u> <u>Time</u>	<u>Room</u>	<u>Judge Name</u>	<u>Schedule</u> <u>Status</u>
Conference I	12/01/2010	1:00 pm	Room 303/Jury Room	Jeffrey D. Burkett	Scheduled
Jury Selection	02/07/2011	9:00 am	Large Courtroom	President Judge John H. Foradora	Scheduled
Conference II	03/02/2011	1:00 pm	Room 303/Jury Room	Jeffrey D. Burkett	Scheduled
Jury Selection	04/11/2011	9:00 am	Room 200 - Small Courtroom	President Judge John H. Foradora	Scheduled
Conference II	04/20/2011	1:00 pm	Room 303/Jury Room	Jeffrey D. Burkett	Scheduled
Conference II	05/18/2011	1:00 pm	Room 303/Jury Room	Jeffrey D. Burkett	Scheduled
Jury Selection	07/11/2011	9:00 am	Room 200 - Small Courtroom	President Judge John H. Foradora	Scheduled
Violation Hearing	09/22/2011	2:00 pm	Room 200 - Small Courtroom	President Judge John H. Foradora	Scheduled
Violation Hearing	10/19/2011	2:00 pm		President Judge John H. Foradora	Scheduled
Violation Hearing	02/01/2012	2:00 pm		President Judge John H. Foradora	Scheduled

### DEFENDANT INFORMATION

Date Of Birth: 01/16/1948      City/State/Zip: Sigel, PA 15860

### CASE PARTICIPANTS

<u>Participant Type</u>	<u>Name</u>
Defendant	Neill, Dale Richard

### BAIL INFORMATION

**Neill, Dale Richard** **Nebbia Status: None**

<u>Bail Action</u>	<u>Date</u>	<u>Bail Type</u>	<u>Originating Court</u>	<u>Percentage</u>	<u>Amount</u>
Set	10/14/2010	Unsecured	Common Pleas		\$10,000.00
Change Non-Monetary Conditions	10/14/2010	Unsecured	Common Pleas		\$10,000.00

  

<u>Surety Type</u>	<u>Surety Name</u>	<u>Posting Status</u>	<u>Posting Date</u>	<u>Security Type</u>	<u>Security Amt</u>
Self	Neill, Dale Richard	Posted	10/14/2010	Unsecured	\$10,000.00

### CHARGES

<u>Seq.</u>	<u>Orig Seq.</u>	<u>Grade</u>	<u>Statute</u>	<u>Statute Description</u>	<u>Offense Dt.</u>	<u>OTN</u>
4	4	M2	18 § 3126 §§ A1	Indec Asslt-W/O Cons Of Other	06/01/2010	T 009690-2

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### CHARGES

Seq.	Orig Seq.	Grade	Statute	Statute Description	Offense Dt.	OTN
5	5	M2	18 § 3126 §§ A1	Indec Asslt-W/O Cons Of Other	06/01/2010	T 009690-2

### DISPOSITION SENTENCING/PENALTIES

Disposition

<u>Case Event</u> <u>Sequence/Description</u> <u>Sentencing Judge</u> <u>Sentence/Diversion Program Type</u> <u>Sentence Conditions</u>	<u>Disposition Date</u> <u>Offense Disposition</u> <u>Sentence Date</u> <u>Incarceration/Diversionary Period</u>	<u>Final Disposition</u> <u>Grade</u> <u>Section</u> <u>Credit For Time Served</u> <u>Start Date</u>
<b>Held for Court (Lower Court)</b>		
Lower Court Disposition	10/14/2010	Not Final
<b>Proceed to Court</b>		
Information Filed	11/30/2010	Not Final
<b>Nolo Contendere</b>		
Plea Court	07/18/2011	Final Disposition
4 / Indec Asslt-W/O Cons Of Other	Nolo Contendere	M2    18 § 3126 §§ A1
Foradora, John H.	07/19/2011	
Probation	Max of 2.00 Years Other	
<p>The defendant shall attend and successfully complete an approved Sex Offender Treatment Program, To Wit Project Point of Light provided by Licensed Psychologist William G. Allenbaugh. To refrain from frequenting unlawful or disreputable places or consorting with disreputable persons.</p> <p>The defendant shall refrain from the use of alcoholic beverages and from entering any establishments whose primary business is the sale of alcohol.</p>		

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5 / Indec Asslt-W/O Cons Of Other	Nolo Contendere	M2	18 § 3126 §§ A1
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Foradora, John H.	07/19/2011		
Probation	Max of 2.00 Years Other		

The defendant shall refrain from the use of alcoholic beverages and from entering any establishments whose primary business is the sale of alcohol.  
To refrain from frequenting unlawful or disreputable places or consorting with disreputable persons.

The defendant shall attend and successfully complete an approved Sex Offender Treatment Program, To Wit Project Point of Light provided by Licensed Psychologist William G. Allenbaugh.

**LINKED SENTENCES:**

**Link 1**

- CP-33-CR-0000511-2010 - Seq. No. 5 (18§ 3126 §§ A1) - Probation is Consecutive to
- CP-33-CR-0000511-2010 - Seq. No. 4 (18§ 3126 §§ A1) - Probation

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### COMMONWEALTH INFORMATION

Name: Tabia Jeonna Marie Cole  
Assistant District Attorney

Supreme Court No: 205829

Phone Number(s):  
814-849-1628 (Phone)

Address:  
Jefferson CO Da's Office  
200 Main St  
Brookville, PA 15825-1298

### ATTORNEY INFORMATION

Name: Bradley M. Ophaug, Esq.  
Private

Supreme Court No: 086865

Rep. Status: Active

Phone Number(s):  
724-549-6319 (Phone)  
724-840-5037 (Other)

Address:  
705 Gompers Ave Ste 206  
Indiana, PA 15701-2712

Representing: Neill, Dale Richard

### ENTRIES

<u>Sequence Number</u>	<u>CP Filed Date</u>	<u>Document Date</u>	<u>Filed By</u>
1	10/14/2010		Neill, Dale Richard
Bail Posted - Neill, Dale Richard			
2	10/14/2010		Beck, Richard D.
Bail Set - Neill, Dale Richard			
3	10/14/2010		Beck, Richard D.
Order Granting Motion for Modification of Bail - Neill, Dale Richard			
1	10/18/2010		Court of Common Pleas - Jefferson County
Original Papers Received from Lower Court			
1	11/30/2010		Commonwealth of Pennsylvania
Information Filed			
1	12/16/2010		Hindman, Blair Harry
Motion for Extension of Time In Which to File Any Pre-Trial Motions			
Court of Common Pleas - Jefferson County			
12/16/2010	Interoffice		
Hindman, Blair Harry			
12/16/2010	First Class		
Jefferson County District Attorney's Office			
12/16/2010	Interoffice		

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<u>Issue Date</u>	<u>Service Type</u>	<u>Status Date</u>	<u>Service Status</u>
1	12/17/2010		Foradora, John H.
Order Granting Motion for Extension of Time In Which to File Any Pre-Trial Motions Until 2/28/11			
Hindman, Blair Harry			
12/17/2010	First Class		
Jefferson County District Attorney's Office			
12/17/2010	Interoffice		
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1	02/11/2011		Foradora, John H.
Motion for Continuance with Order Granting Until April 2011			
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1	03/04/2011		Hindman, Blair Harry
Motion for Extension of Time in Which to File Any Pre-Trial Motions			
Court of Common Pleas - Jefferson County			
03/04/2011	Interoffice		
Hindman, Blair Harry			
03/04/2011	First Class		
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1	03/07/2011		Foradora, John H.
Order Granting Motion for Extension of Time (30 days) To File Any Pre-Trial Motions Until 4/1/11			
Hindman, Blair Harry			
03/07/2011	First Class		
Jefferson County District Attorney's Office			
03/07/2011	Interoffice		
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1	04/01/2011		Hindman, Blair Harry
Motion for Extension of Time In Which to File Any Pre-Trial Motions			
Court of Common Pleas - Jefferson County			
04/01/2011	Interoffice		
Hindman, Blair Harry			
04/01/2011	First Class		
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2	04/01/2011		Foradora, John H.
Order Granting Motion for Extension of Time (30 days) to File Pre-Trial Motions Until 5/4/11			
Hindman, Blair Harry			

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<u>Issue Date</u>	<u>Service Type</u>	<u>Status Date</u>	<u>Service Status</u>
1	04/15/2011		Foradora, John H.
Motion for Continuance With Order Granting Until the July 2011 Term of Court			
Hindman, Blair Harry			
04/15/2011	First Class		
Jefferson County District Attorney's Office			
04/15/2011	Interoffice		
1	06/13/2011		Hindman, Blair Harry
Motion for Additional Extension of Time In Which to File Any Pre-Trial Motions			
Court of Common Pleas - Jefferson County			
06/13/2011	Interoffice		
Hindman, Blair Harry			
06/13/2011	First Class		
1	06/14/2011		Foradora, John H.
Order Denying Motion for Extension of Time to File Omnibus Pre-Trial Motion			
Hindman, Blair Harry			
06/14/2011	First Class		
Jefferson County District Attorney's Office			
06/14/2011	Interoffice		
1	06/17/2011		Hindman, Blair Harry
Motion to Compel Discovery			
Court of Common Pleas - Jefferson County			
06/17/2011	Interoffice		
Hindman, Blair Harry			
06/17/2011	First Class		
1	06/21/2011		Foradora, John H.
Order Granting Motion for Discovery			
Commonwealth of Pennsylvania			
06/21/2011	Interoffice		

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<u>Issue Date</u>	<u>Service Type</u>	<u>Status Date</u>	<u>Service Status</u>
Hindman, Blair Harry			
06/21/2011	First Class		
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1	07/07/2011		Hindman, Blair Harry
Motion for Continuance			
Court of Common Pleas - Jefferson			
County			
07/07/2011	Interoffice		
Hindman, Blair Harry			
07/07/2011	First Class		
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1	07/08/2011		Foradora, John H.
Order Denying Motion for Continuance			
Hindman, Blair Harry			
07/08/2011	First Class		
Jefferson County District Attorney's			
Office			
07/08/2011	Interoffice		
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1	07/12/2011		Foradora, John H.
Order of Court Regarding Motions Filed			
Hindman, Blair Harry			
07/12/2011	First Class		
Jefferson County District Attorney's			
Office			
07/12/2011	Interoffice		
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1	07/13/2011		Jefferson County District Attorney's
Commonwealth's Motion in Limine			
Court of Common Pleas - Jefferson			
County			
07/13/2011	Interoffice		
Hindman, Blair Harry			
07/13/2011	First Class		
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1	07/18/2011		Hindman, Blair Harry
Motion in Limine			

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<u>Issue Date</u>	<u>Service Type</u>	<u>Status Date</u>	<u>Service Status</u>
Court of Common Pleas - Jefferson County			
07/18/2011	Interoffice		
Hindman, Blair Harry			
07/18/2011	First Class		
Jefferson County District Attorney's Office			
07/18/2011	Interoffice		
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2	07/18/2011		Foradora, John H.
Stipulation Amending Information with Order Approving			
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4	07/18/2011		Foradora, John H.
Nolo Contendere			
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5	07/18/2011		Foradora, John H.
Disposition Filed			
-----			
6	07/18/2011		Neill, Dale Richard
Written Guilty Plea Colloquy			
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1	07/19/2011		Foradora, John H.
Order - Sentence/Penalty Imposed			
-----			
1	07/22/2011		Court of Common Pleas - Jefferson County
Penalty Assessed			
-----			
1	07/26/2011		Jefferson County Adult Probation Unit
Guideline Sentence Form			
-----			
1	08/02/2011	08/02/2011	Geist, Tonya S.
Entry of Civil Judgment			
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2	08/02/2011		Jefferson County Adult Probation Unit
Praecipe for Entry of Judgment, 676-2011 C.D.			
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1	09/19/2011		Jefferson County Adult Probation Unit
Notice of Preliminary Hearing (Gagnon I) on 9/22/11 at 2:00 p.m.			
1	09/27/2011		Foradora, John H.
Gagnon Order			
1	10/21/2011		Foradora, John H.
Gagnon Order			
1	01/17/2012		Jefferson County Adult Probation Unit
Notice of Preliminary Hearing (Gagnon I) on 2/1/12 at 2:00 p.m.			
1	02/06/2012		Foradora, John H.
Gagnon Order			
1	02/14/2012		Foradora, John H.
Gagnon Order			
2	02/14/2012		Jefferson County Adult Probation Unit
Notice of Preliminary Hearing (Gagnon I) on 2/15/12 at 2:00 p.m.			
1	02/29/2012		Foradora, John H.
Corrected Gagnon Order			
1	06/26/2013		Court of Common Pleas - Jefferson County
Penalty Satisfied			
1	08/07/2013		Hindman, Blair Harry
Petition for Early release from Supervision			
Hindman, Blair Harry	08/07/2013	Hand Delivered	
1	08/12/2013		Foradora, John H.
Order Denying Motion for Early Termination of Supervision			
Hindman, Blair Harry	08/12/2013	Interoffice	
Jefferson County District Attorney's Office			
	08/12/2013	Interoffice	

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<u>Issue Date</u>	<u>Service Type</u>	<u>Status Date</u>	<u>Service Status</u>
1	01/15/2014		Geist, Tonya S.
Praecipe to Satisfy Judgment			
1	11/01/2017		Ophaug, Bradley M.
Petition to Enforce Plea Agreement			
Court of Common Pleas - Jefferson County			
11/01/2017	Interoffice		
Jefferson County District Attorney's Office			
11/01/2017	Interoffice		
Ophaug, Bradley M.			
11/01/2017	First Class		
1	11/09/2017		Foradora, John H.
Order Scheduling Hearing 1/11/2018 at 9:00 a.m.			
Jefferson County District Attorney's Office			
11/09/2017	Interoffice		
Ophaug, Bradley M.			
11/09/2017	First Class		
1	01/10/2018		Jefferson County District Attorney's Office
Motion for Continuance of Enforce Plea Agreement Hearing			
2	01/10/2018		Foradora, John H.
Order Granting Motion for Continuance: Hearing Scheduled 2/6/18 at 2:30 p.m.			
Jefferson County District Attorney's Office			
01/10/2018	Interoffice		
Ophaug, Bradley M.			
01/10/2018	First Class		
1	02/08/2018		Foradora, John H.
Order of Court			

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<u>Issue Date</u>	<u>Service Type</u>	<u>Status Date</u>	<u>Service Status</u>
Jefferson County District Attorney's Office			
02/08/2018	Interoffice		
Neill, Dale Richard			
02/08/2018	First Class		
Ophaug, Bradley M.			
02/08/2018	First Class		
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1	02/21/2018		Foradora, John H.
Amended Order of Court			
Jefferson County District Attorney's Office			
02/21/2018	Interoffice		
Ophaug, Bradley M.			
02/21/2018	First Class		
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### CASE FINANCIAL INFORMATION

Last Payment Date: 06/26/2013

Total of Last Payment: -\$1,872.00

Neill, Dale Richard Defendant	<u>Assessment</u>	<u>Payments</u>	<u>Adjustments</u>	<u>Non Monetary Payments</u>	<u>Balance</u>
<b>Costs/Fees</b>					
State Court Costs (Act 204 of 1976)	\$10.75	(\$10.75)	\$0.00	\$0.00	\$0.00
Commonwealth Cost - HB627 (Act 167 of 1992)	\$9.25	(\$9.25)	\$0.00	\$0.00	\$0.00
County Court Cost (Act 204 of 1976)	\$30.00	(\$30.00)	\$0.00	\$0.00	\$0.00
Crime Victims Compensation (Act 96 of 1984)	\$35.00	(\$35.00)	\$0.00	\$0.00	\$0.00
Domestic Violence Compensation (Act 44 of 1988)	\$10.00	(\$10.00)	\$0.00	\$0.00	\$0.00
Victim Witness Service (Act 111 of 1998)	\$25.00	(\$25.00)	\$0.00	\$0.00	\$0.00
Firearm Education and Training Fund	\$5.00	(\$5.00)	\$0.00	\$0.00	\$0.00
DNA Detection Fund (Act 185-2004)	\$250.00	(\$250.00)	\$0.00	\$0.00	\$0.00
CVC Admin Fee (Jefferson)	\$100.00	(\$100.00)	\$0.00	\$0.00	\$0.00
Automation Fee (Jefferson)	\$5.00	(\$5.00)	\$0.00	\$0.00	\$0.00
Clerk Fees (Jefferson)	\$75.00	(\$75.00)	\$0.00	\$0.00	\$0.00
Costs of Prosecution - CJEA	\$50.00	(\$50.00)	\$0.00	\$0.00	\$0.00
Judicial Computer Project	\$8.00	(\$8.00)	\$0.00	\$0.00	\$0.00
ATJ	\$3.00	(\$3.00)	\$0.00	\$0.00	\$0.00
CJES	\$2.25	(\$2.25)	\$0.00	\$0.00	\$0.00
JCPS	\$10.25	(\$10.25)	\$0.00	\$0.00	\$0.00
OSP (Jefferson/State) (Act 35 of 1991)	\$960.00	(\$960.00)	\$0.00	\$0.00	\$0.00
OSP (Jefferson/State) (Act 35 of 1991)	\$960.00	(\$960.00)	\$0.00	\$0.00	\$0.00
Judgment (Jefferson)	\$16.50	(\$16.50)	\$0.00	\$0.00	\$0.00
Satisfaction (Jefferson)	\$9.00	(\$9.00)	\$0.00	\$0.00	\$0.00
Costs/Fees Totals:	\$2,574.00	(\$2,574.00)	\$0.00	\$0.00	\$0.00
<b>Fines</b>					
Crimes Code, etc.	\$500.00	(\$500.00)	\$0.00	\$0.00	\$0.00
Crimes Code, etc.	\$500.00	(\$500.00)	\$0.00	\$0.00	\$0.00
Fines Totals:	\$1,000.00	(\$1,000.00)	\$0.00	\$0.00	\$0.00
Grand Totals:	\$3,574.00	(\$3,574.00)	\$0.00	\$0.00	\$0.00

\*\* - Indicates assessment is subrogated